

UNITED STATES DISTRICT COURT

for the

District of Minnesota

UNITED STATES OF AMERICA

v.

Case No. 14-mj-905 (TNL)

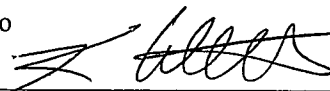
RODERICK BRIAN UNDERWOOD

CRIMINAL COMPLAINT

I, Kylie M. Williamson, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about September 18, 2014, in Ramsey County, in the State and District of Minnesota, the defendant, Roderick Brian UNDERWOOD, having previously been convicted of crimes punishable by imprisonment for a term exceeding one year, at least three of which were violent felonies or serious drug offenses committed on occasions different from one another, did knowingly and unlawfully possess, in and affecting interstate commerce, a firearm, that is, a Remington Arms, Model 1100, 12-gauge shotgun, having serial number P231233V, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e)(1).

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives and that this Complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT OF SA KYLIE M. WILLIAMSON

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No


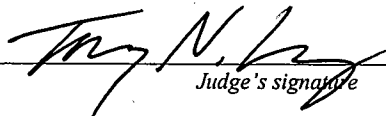
Complainant's signature

Kylie M. Williamson, ATF Special Agent

Sworn to before me and signed in my presence.

Date:

10/17/2014



Judge's signature

City and state: St. Paul, Minnesota

Tony N. Leung, U.S. Magistrate Judge

SCANNED

OCT 17 2014

U.S. DISTRICT COURT ST. PAUL

14-MJ-905 (TNL)

STATE OF MINNESOTA)
) ss. AFFIDAVIT OF KYLIE M. WILLIAMSON
COUNTY OF RAMSEY)

I, Kylie M. Williamson, being duly sworn, depose and state as follows:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since August of 2007. Prior to that, your Affiant was employed by ATF for two years as an Industry Operations Investigator. Your Affiant is currently assigned to the St. Paul Group I Field Office, and works with various law enforcement agencies and drug task forces throughout the state of Minnesota. Your Affiant's responsibilities include conducting criminal investigations of individuals and organizations related to the violations of Federal laws, particularly those found in Titles 18, 21, and 26 of the United States Code. Your Affiant has participated in numerous investigations which have resulted in arrests, searches, seizures, and convictions of individuals who have violated Federal law.

2. This Affidavit is submitted in support of a Complaint establishing probable cause to believe that on September 18, 2014, **Roderick Brian UNDERWOOD (DOB: 3/26/1965)**, possessed a firearm in violation of Title 18, United States Code, Chapter 44, Sections 922(g)(1) and 924(e)(1).

3. The facts set forth in this Affidavit are based on my personal knowledge and observations in this investigation, on my review of police reports, and on discussions I have had with other law enforcement personnel directly involved in the investigation. The facts set forth herein contain information sufficient to support probable cause. This Affidavit is not intended to convey all of the facts learned during the course of this investigation.

4. On September 18, 2014, Officers with the Saint Paul Police Department (hereinafter SPPD), responded to a weapons complaint in the area of 1739 Old Hudson Road, located in the city of Saint Paul, Count of Ramsey, State and Judicial District of Minnesota. Officers had received the information from dispatch after a complainant had called 9-1-1 and advised that UNDERWOOD was in the Super 8 Motel, room #334, "acting crazy" and threatening a female named Tamara Jackson, that UNDERWOOD was a felon, and that UNDERWOOD was in possession of a shotgun.

5. Upon arriving at the motel, SPPD Officers confirmed that room #334 was currently rented by UNDERWOOD.

6. SPPD Officers went to room #334 and made contact with UNDERWOOD, announcing their presence and telling him that they were there to check if Tamara was alright. UNDERWOOD opened the door of the room and told Officers that Tamara had gone to the lobby. SPPD Officers asked UNDERWOOD to step into the hallway.

7. SPPD Officers entered the room and conducted a visual sweep of the room looking for Tamara, based on the information and description provided by the complainant, but did not locate anyone else inside of room #334.

8. SPPD Officers did, however, observe suspected methamphetamine on the nightstand and a shotgun sticking out of a bag on the floor, between the two hotel beds. Both the methamphetamine and the shotgun were in plain view at the time the SPPD Officers conducted their sweep of the room looking for the woman.

9. UNDERWOOD was placed under arrest and transported to the Ramsey County Law Enforcement Center by SPPD Officers.

10. During UNDERWOOD's transport, UNDERWOOD stated, without prompting or questioning by Officers, that the shotgun belonged to him but that he did not have any shells for it and that he had the shotgun for protection because he apparently had been assaulted on the day prior to September 18, 2014. UNDERWOOD's statement was video and audio recorded by the squad's automatic recording system.

11. Your Affiant has reviewed UNDERWOOD's criminal history and determined that prior to September 18, 2014, UNDERWOOD had, at least, the following felony convictions: Aggravated Robbery (1993); 4th Degree Sale of a Controlled Substance (1998); 3rd Degree Burglary (1999); 5th Degree Possession of a Controlled Substance (1999); 3rd Degree Sale of a Controlled Substance (2002); and Felony Domestic

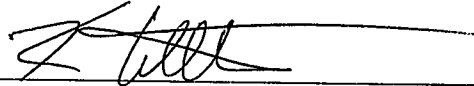
Assault (2003). As a convicted felon, UNDERWOOD is prohibited from possessing firearms.

12. Based in part on the above-referenced facts, on or about September 19, 2014, UNDERWOOD was charged for this conduct in the Second Judicial District, State of Minnesota, County of Ramsey, with Possession of Firearm by an Ineligible Person, in violation of Minnesota Statutes 624.713.1(2), 624.713.2(b), and 609.11.5(b). (Ramsey County Court File No. 62-CR-14-7127). UNDERWOOD is currently being held in the Ramsey County Jail, Adult Detention Center.

13. Your Affiant determined that the shotgun recovered from UNDERWOOD's hotel room, namely, a Remington Arms Company Inc., Model 1100, 12-gauge shotgun, bearing serial number: P231233V, was manufactured outside of the State of Minnesota. Therefore, at some point after manufacture, the aforementioned shotgun traveled in interstate and/or foreign commerce into the State of Minnesota as defined in Title 18, United States Code, Chapter 44, Section 921(g)(1). Your Affiant also determined that the shotgun recovered had been stolen.

14. Based on my training, experience, and participation in this and other investigations, I believe probable cause exists that Roderick Brian UNDERWOOD possessed a firearm in violation of Title 18, United States Code, Chapter 44, Sections 922(g)(1) and 924(e)(1).

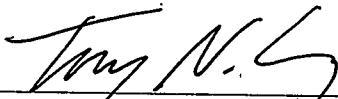
Further your Affiant sayeth not.



KYLIE M. WILLIAMSON
SPECIAL AGENT, ATF

SUBSCRIBED and SWORN to before me,

this 17 day of October 2014,



The Honorable Toby N. Leung
UNITED STATES MAGISTRATE JUDGE